

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MILLENNIUM TGA, INC.,

*Plaintiff,*

vs.

JOHN DOE,

*Defendant.*

§

§

§ Civil Action No. 4:11-cv-4501

§

§ [related to Miscellaneous Action pending in

§ the U.S. District Court for the District of

§ Columbia, No. 1:12-mc-00150-RLW]

**NON-PARTY COMCAST'S NOTICE OF DECISION IN  
RELATED CASE PENDING IN THE DISTRICT OF COLUMBIA**

Non-Party Comcast Cable Communications, LLC ("Comcast") respectfully submits this Notice to advise the Court of a Memorandum Opinion and corresponding Order in a related proceeding in the United States District Court for the District of Columbia—*Millennium TGA v. Comcast*, No. 1:12-mc-00150-RLW, 2012 WL 2371426 (D.D.C. 2012) ("*Millennium TGA III*"). True and correct copies of the Memorandum Opinion and Order are attached as Exhibit A to this Notice.

1. In *Millennium TGA III* the federal court in Washington, D.C., quashed the subpoena served by Plaintiff Millennium TGA, Inc. ("Plaintiff" or "Millennium TGA") on Comcast that sought the identities of Comcast subscribers who are listed in Exhibits A and B to the Complaint in the case before this Court.<sup>1</sup> Judge Wilkins did order Comcast to provide

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<sup>1</sup> Although Plaintiff obtained an *ex parte* order granting expedited discovery from this Court (Dkt. 6), Plaintiff issued the subpoena to Comcast out of the District of Columbia. After Comcast objected to the Subpoena, Plaintiff filed a motion to compel Comcast to comply with that subpoena (DC Dkt. 1) which was denied in the attached Memorandum Opinion and Order (DC Dkt. 27 and 28). However, a number of subscribers moved to quash Plaintiffs' subpoena, moved for a protective order, and/or requested similar relief in *this* Court. See, e.g., Dkt. 10, 12, 14, 15, 17, 20, 22, 27, 31, 33, 35, 36, 38, 40, 41, 51, and 57 (these may not all be Comcast subscribers). See *Millennium TGA III*, 2012 WL \*4-5. This Court has denied many of the subscribers' motions without prejudice to re-urging in the proper forum (Dkt. 64-70, 72-75). Some subscribers served motions in D.C. that Judge Wilkins recently allowed to be filed. (DC Dkt. 29-36). Judge Wilkins denied those motions as moot and directed the Clerk to mail the Orders, to the extent possible, to the parties who filed the motions. (D.C. Dkt. 37).

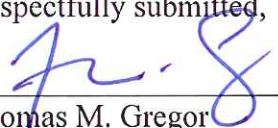
Plaintiff the city and state of residence of its subscribers whose identities were sought in the subpoena. *Millennium TGA III*, 2012 WL 2371426, \*8.

2. Judge Wilkins, after reassignment, recounted the history of Millennium TGA's filings, tactics, and non-compliance with Rule 45, when denying its motion to compel. However, it appears Plaintiff has not advised this Court of the related proceeding in federal court in Washington, D.C. *See Millennium TGA III*, 2012 WL 2371426, \*5. Indeed, in as recent a filing as June 25 in this Court, Plaintiff made no mention of the related proceeding in federal court in Washington, D.C. *See* Dkt. 77 at 3.

3. Accordingly, Comcast respectfully brings the decision by Judge Wilkins in the related *Millennium TGA III* case to this Court's attention.

Dated and Filed: June 27, 2012

Respectfully submitted,

  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 27<sup>th</sup> day of June 2012, true and correct copies of the foregoing document was served via ECF and U.S. Mail upon all counsel of record:

  
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Thomas M. Gregor